

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

WAPP TECH LIMITED PARTNERSHIP
AND WAPP TECH CORP.,

Plaintiffs,

v.

SEATTLE SPINCO, INC., ET AL.,

Defendants.

Case No. 4:18-cv-00469-ALM

JURY TRIAL DEMANDED

JOINT MOTION TO STAY ALL DEADLINES AND NOTICE OF SETTLEMENT

Plaintiffs Wapp Tech Limited Partnership and Wapp Tech Corp. (“Wapp”) and Defendants Seattle SpinCo, Inc., EntIT Software LLC, Entco Interactive (Israel) Ltd, Entco Government Software LLC, and Micro Focus (US) Inc. (“Defendants”) (collectively “the Parties”) hereby notify the Court that the parties have executed a Memorandum of Understanding – Binding Term Sheet on July 15, 2021, which resolves all matters in controversy between them in the above-captioned action. Accordingly, the parties file this joint motion for a stay of all deadlines, including a stay of execution of the judgment, as contemplated by the Term Sheet, so that the parties can finalize a Settlement Agreement and file appropriate dismissal papers. Wapp and Defendants request this stay, not for purposes of any delay, but so that they may avoid incurring additional expenses.

Dated: July 15, 2021

Respectfully submitted,

By: /s/ Melissa R. Smith

L. Rex Sears (Admitted *Pro Hac Vice*)

Lead Attorney

Utah State Bar No. 8548

Jared J. Braithwaite (Admitted *Pro Hac Vice*)

Utah State Bar No. 12455
Alexis K. Juergens (Admitted *Pro Hac Vice*)
Utah State Bar No. 16861
MASCHOFF BRENNAN
111 South Main Street, Suite 600
Salt Lake City, Utah 84111
Telephone: (801) 297-1850
Facsimile: (435) 252-1361
rsears@mabr.com
jbraithwaite@mabr.com
ajuergens@mabr.com

Barry K. Shelton
Texas State Bar No. 24055029
Bradley D. Coburn
Texas State Bar No. 24036377
SHELTON COBURN LLP
311 RR 620 S, Suite 205
Austin, Texas 78734-4775
Telephone: (512) 263-2165
Facsimile: (512) 263-2166
bshelton@sheltoncoburn.com
coburn@sheltoncoburn.com

Melissa Smith
GILLAM & SMITH
303 S. Washington Ave.
Marshall, Texas 75670
Telephone: (903) 934-8450
melissa@gillamsmithlaw.com

Attorneys for Defendants

/s/ Robert F. Kramer

Robert F. Kramer
CA Bar No. 181706 (Admitted E.D. Texas)
rkramer@feinday.com
M. Elizabeth Day
CA Bar No. 177125 (Admitted E.D. Texas)
eday@feinday.com
David Alberti
CA Bar No. 220625 (pro hac vice)
dalberti@feinday.com
Sal Lim
CA Bar No. 211836 (pro hac vice)
slim@feinday.com
Russell S. Tonkovich
CA Bar No. 233280 (Admitted E.D. Texas)
rtonkovich@feinday.com
Marc C. Belloli
CA Bar No. 244290 (pro hac vice)
mbelloli@feinday.com
Sven Raz
CA Bar No. 222262 (pro hac vice)
sraz@feinday.com
Andrew Hamill (Admitted E.D. Texas)
CA Bar No. 251156
ahamill@feinday.com
Robert Y. Xie Bar (pro hac vice)
CA Bar No. 329126
rxie@feinday.com
FEINBERG DAY KRAMER ALBERTI
LIM TONKOVICH & BELLOLI LLP
577 Airport Boulevard, Suite 250
Burlingame, California 94101
Telephone: (650) 825-4300
Facsimile: (650) 460-8443

Deron R. Dacus
TX Bar No. 00790553
ddacus@dacusfirm.com
THE DACUS FIRM, PC
821 ESE LOOP 323,
Suite 430
Tyler, TX 75701
902/705-1117
Fax: 903/581-2543

Attorneys for Plaintiffs

CERTIFICATE OF SERVICE

I certify that the foregoing document is being served via the Court's CM/ECF system on July 15, 2021 on all counsel of record who consent to electronic service per Local Rule CV-5(a)(3) or otherwise, as required by local and federal rules.

/s/ Melissa R. Smith

CERTIFICATE OF CONFERENCE

The undersigned hereby certifies that counsel for Defendants met and conferred with counsel for Plaintiff. The Parties are in agreement and are seeking joint relief.

/s/ Melissa R. Smith